

## **ARTICLE XV SIGN REGULATIONS**

### **SECTION**

#### **1500 SIGN REGULATIONS**

##### **1500.1 Statement of Purpose and Intent**

The purpose of this section is to provide a framework for regulating a system of street graphics, thereby promoting pleasant communication between people and their environment. In order to preserve the City of Rockford as a desirable community in which to live, vacation and do business, a pleasing, visually attractive urban environment is of foremost importance. The regulation of signs within the city is a highly contributive means by which to achieve this desired end. These sign regulations are prepared with the intent of enhancing the urban environment and promoting the continued well-being of the city. It is the purpose of this division to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and nondiscriminatory sign standards and requirements. These sign regulations are intended to:

- A. Enable the identification of places of residence and business.
- B. Allow for the communication of information necessary for the conduct of commerce.
- C. Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs, which compete for the attention of pedestrian and vehicular traffic.
- D. Enhance the attractiveness and economic well-being of the city as a place to live, vacation and conduct business.
- E. Protect the public from the dangers of unsafe signs.
- F. Permit signs that are compatible with their surroundings and aid orientation, and preclude placement of signs in a manner that conceals or obstructs adjacent land uses or signs.
- G. Encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain.
- H. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.
- I. Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains.
- J. Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.
- K. Regulate signs in a manner so as not to interfere with obstruct vision of or distract motorists, bicyclists or pedestrians.
- L. Require signs to be constructed, installed and maintained in a safe and satisfactory manner.
- M. Preserve and enhance the natural and scenic characteristics of this riverfront community.

It is further the intent of this section to regulate signs in terms of their location, dimensions and densities, and to not allow signs which are in direct conflict with traffic signals, or resemble any traffic control device, emergency light or railroad designation, and are unshielded or illuminated devices that create a hazard or nuisance to motorists or occupants of adjacent properties.

## **1500.2 Signs Not Permitted**

The following signs and devices are prohibited:

- A. Rotating signs with a repetitious preprogrammed physical movement or rotation in either one or a series of planes activated by means of mechanically-based drives;
- B. Signs which change messages by rotating or swiveling;
- C. Strobe lights - a light source modified electronically or mechanically to produce high-intensity short-duration light pulses;
- D. Electronic graphic display signs greater than thirty-six (36) square feet of electronic copy area, or used for off-premise commercial advertising unless otherwise permitted by Section 1500.4 (F) (1) or 1500.6 (H) (3) of this Ordinance
- E. Mobile signs - any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building;
- F. Searchlights, except by temporary permit from City Council;
- G. Signs erected on public property other than those erected by the City for public purposes;
- H. Signs posted on fences, which are located on property line;
- I. Signs posted on utility poles, trees, or on other natural features;
- J. Signs erected on rooftops.
- K. Sandwich signs - a folding mobile sign;
- L. Signs attached to or painted on a vehicle parked on or adjacent to a public thoroughfare for the sole purpose of advertising.
- M. Electronic graphic display signs that change by means of fade, re-pixelation or dissolve modes, or any other change sequence that is not immediate in nature.
- N. Electronic graphic display signs with fixed image duration less than ten (10) seconds for an off-premise billboard sign and fixed image duration less than two (2) seconds for an on-premise sign.
- O. Electronic graphic display signs, which display or project moving images or motion pictures.
- P. Electronic graphic display signs, which project images or messages into the sky, or onto buildings or other objects.
- Q. Electronic graphic display signs that shimmer.
- R. Electronic graphic display signs, which are brighter than a maximum level of 5,000 nits after sunrise and before sundown and 1,000 nits after sundown and before sunrise.
- S. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.
- T. Signs that have unshielded illuminating devices or which reflect lighting onto public rights-of way thereby creating a potential traffic or pedestrian hazard.
- U. Signs carried, waved or otherwise displayed by persons either on public rights-of-way or in a manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose, and is not intended to limit the display of placards, banners, flags or other signage by persons participating in demonstrations, political rallies and similar events.
- V. Any temporary or permanent sign that is not specifically described or enumerated as permitted within the specific zoning district classifications.

## **1500.3 General Provisions**

- A. No sign permitted under the regulations of this section shall be installed without first obtaining zoning clearance and a sign permit.
- B. Zoning clearance will be issued for freestanding signs only after the location has been spotted and checked by a City staff person.
- C. Zoning clearance will be issued to the property owner or sign company personnel only after all required information is submitted.
- D. Sign installation shall comply with the provisions of Chapter 3, City of Rockford Codes and Ordinances.

- E. No existing sign, which is in conformance with this Section, shall be enlarged or altered without being in conformance with the provisions of this Section. Existing nonconforming signs are subject to the provisions in Sec. 1500.7.
- F. Combination signs (multiple on-premise business signs on a single structure) are permitted, subject to all regulations herein.
- G. All signs must be permanently tagged or labeled with the name of the licensed sign installer prior to inspection.
- H. No off-premise advertising sign, either permanent or temporary, shall be installed or placed within fifty (50) feet of the bank of the Rock River.
- I. All freestanding signs shall be landscaped in accordance with Sec. 1403.5.
- J. All signs and advertising devices shall be reasonably maintained in a clean and safe condition. All signs shall be inspected annually to enforce this provision.
- K. Signs displayed in windows, whether temporary or permanent, shall cover no more than 35% of the square footage of the window surface (See Section 1500.5 H. "Inside Signs").
- L. If a storefront is composed of glass, no part of the glass can be painted to reduce visibility. Alternate means i.e. blinds, shades, etc. must be used to limit visibility.

#### **1500.4 Regulations for Permanent Signs, Including Business Signs (On Premise)**

- A. Location
  - 1. All sign bases and sign pylons shall be permanently installed in concrete or into the ground below the frost line; they shall be located not closer than five (5) feet to the property line and not closer than twenty-five (25) feet from an intersection corner measured from the corner of the property lines.
  - 2. The face of any freestanding sign shall not project beyond the property line.
  - 3. All business signs shall be installed on the same zoning lot on which the business is located.
  - 4. Signs (not freestanding) projecting over any public right-of-way require approval from the Department of Public Works prior to issuance of zoning clearance, except for a business identification sign painted on a canvas awning. Projecting signs, awnings or marquees shall extend no closer to the right-of way than thirty-six (36) inches inside the curb or the edge of pavement of the street. Vertical clearance shall be not less than nine (9) feet from grade over any public or private sidewalk; vertical clearance for signs projecting over a public or private street or alley shall be not less than fifteen (15) feet from grade
  - 5. No sign permitted in a commercial or industrial district shall be located any closer than fifty (50) feet to a residential district boundary or a residential use.
  - 6. Residential uses shall be protected from glare or reflection. Illuminated signs shall not produce more than one (1) foot-candle of light four (4) feet from the sign.
  - 7. All freestanding business signs must be landscaped in accordance with Sec. 1300.
- B. Number Allowed and Size - Commercial and Industrial Districts
  - 1. Shopping Centers in Commercial and Industrial Districts

- a. Shopping centers: One (1) landmark style identification sign, which may include the names of the occupants, is allowed for up to two thousand (2,000) lineal feet of public street frontage, and one (1) additional sign is allowed for each additional two thousand (2,000) feet of frontage up to a maximum of two hundred and forty (240) square feet for each sign. Poles may not be used to increase the height of the sign.
  - b. Each establishment within the center is allowed two (2) wall signs to identify the business and additional wall-mounted signs to identify the general services provided, but not including brand-name identification. Wall sign area shall not exceed three (3) times the lineal feet of the store frontage, up to a maximum of two hundred forty (240) square feet. There shall be no more than two (2) wall signs located above the ground floor of the structure. (Ord.1993-345-O)
  - c. Billboards are not permitted on the same zoning lot with the shopping center.
  - d. Each establishment permitted the sale of liquor may substitute one (1) Brand Name Identification Sign for a general services identification sign. (Ord.1996-16-O)
2. Five (5) or Fewer Businesses on a Single Zoning Lot in Commercial and Industrial Zoning Districts
  - a. Internal lots, not including shopping centers, shall be permitted one (1) freestanding sign that shall be of a landmark style and not exceed sixty-four (64) square feet. Poles cannot be used to increase the height of the sign. In addition, two (2) wall, mansard, marquee canopy, internally illuminated awning or projecting sign to identify the business shall be permitted on each premise. Additional wall-mounted identification signs to identify the general services provided are permitted, but not including brand-name identification. Aggregate surface area of all business signs shall not exceed one and one-half (1½) square feet for each lineal foot of street frontage of the parcel on which the business is located, OR two (2) square feet for each lineal foot of building frontage facing a public street, whichever is greater. No business wall signage shall exceed the maximum of two hundred and forty (240) square feet. There shall be no more than two (2) wall signs located above the ground floor of the structure. (Ord.1993-345-O; 1996-16-O)
  - b. Corner lots, or lots with access to two streets, shall be permitted two (2) freestanding signs that shall be of landmark style and not exceed sixty-four (64) square feet, provided the second sign is installed on the second street frontage. In addition, one (1) wall, mansard, marquee, canopy, internally illuminated awning or projecting sign shall be permitted on each premise for each street frontage. Additional wall-mounted identification signs to identify the general services provided are permitted, but not including Brand Name Identification. There shall be no more than two (2) wall signs located above the ground floor of the structure. Each establishment permitted the sale of liquor may substitute one (1) Brand Name Identification Sign for a general services identification sign. The square footage may be combined into one (1) sign, provided that no business wall signage exceeds a maximum of two hundred and forty (240) square feet. Aggregate surface area of all business signs shall not exceed one and one-half (1½) square feet for each lineal foot of street frontage of the parcel on which the business is located,
3. Directional Signs in Commercial and Industrial Districts:

- a. Non-advertising, on-site directional signs are permitted (i.e., indicating entrance, exit, caution, restrooms, slow, no trespassing, parking regulations) when located on the same zoning lot and pertaining to a particular business. The business identification face for each sign is limited to two (2) square feet, and the total sign face is limited to ten (10) square feet.
  - b. Service Directories for medical and educational facilities with multiple buildings or pedestrian entrances and multiple parking lots are permitted as follows:
    - (1) Directions are limited to six (6) feet in height and thirty-six (36) square feet in total directory face and are subject to standard setback requirements;
    - (2) Only the name of the facility, logo and directional information are permitted on each directory;
    - (3) Directionals must be accompanied by a site plan demonstrating that they will be used to direct traffic.
  - c. Drive-through directories for those businesses that have legally established a drive through are permitted as follows:
    - (1) Directory (menu board) six feet in height and thirty-six square feet in size (36).
    - (2) Directory must be located adjacent to the drive through lane and a minimum of 20 feet from any property line.
- C. Height (Commercial and Industrial Zoning Districts – C-2, C-3, C-4, I-1 and I-2 Districts only)

Maximum height for all freestanding business signs is eight (8) feet for ~~three~~ five or fewer business on a single lot in Commercial and Industrial Districts and twenty (20) feet for shopping center signage (see Sec. 300, Sign Height).

D. C-1 Office District - Special Regulations

- 1. Maximum height for all freestanding business signs is eight (8) feet, and these signs must be low profile and a maximum of sixty-four (64) square feet. Billboards are prohibited in the C-1 District. All other sign regulations of the Commercial Districts are applicable.
- 2. Office Park Subdivision entrance signs: One permanent subdivision sign containing only the name and logo of the subdivision is permitted at the subdivision entrance(s), not exceeding sixty-four (64) square feet with a maximum height of eight (8) feet. These signs must be located on or in an easement on the recorded plat of the subdivision.

E. Residential Districts

- 1. One (1) permanent subdivision sign containing only the name and logo of the subdivision, is permitted in a residential district, not exceeding twenty-five (25) square feet with a maximum height of eight (8) feet.
- 2. One (1) identification sign is permitted for each dwelling unit, containing only the name of the occupant and the address, not exceeding two (2) square feet. This regulation applies also to licensed home occupations.
- 3. One (1) low-profile sign is permitted for each nonresidential use, such as a public building, public park, and charitable, educational or religious institutions, not exceeding forty-eight (48) square feet.

F. Special Uses

City Council may, following a hearing by the Zoning Board of Appeals, permit as a Special Use:

1. An on-premise, electronic graphic display sign greater than 36 square feet. If the Council finds that all the Findings of Fact as outlined in 1603 are met and that the location, size and design of the proposed sign will not have a detrimental effect on the privacy, use, light or enjoyment of any zoning lot and that the sign complies with the size, height, area and other requirements of this article.

**1500.5 Temporary Signs (A temporary sign permit may be required as per Article III of the Code of Ordinances and/or as outlined below.)**

A. Commercial Signs

1. Development Site Signs (No permit required)
  - a. Commercial or Industrial Development Site: One (1) non-illuminated, unchanging development sign, not exceeding two hundred (200) square feet, is permitted for a period of one (1) year on a construction site in a commercial or industrial zoning district. Only one (1) sign is allowed per zoning lot, and the size of the sign shall be limited to 0.5 times the lineal front footage of the zoning lot up to the two hundred (200) square feet maximum. The sign is permissible for an additional year, provided construction is diligently pursued. The development sign must be removed prior to the final inspection of the permanent sign.
  - b. Residential Development Site: One (1) non-illuminated development sign, not exceeding thirty-two (32) square feet, is permitted for a period of one (1) year on a construction site. The sign is permissible for an additional year provided construction is diligently pursued.
  - c. Subdivision Development Site: One (1) temporary non-illuminated subdivision sign, not exceeding thirty-two (32) square feet, located not less than fifteen (15) feet from any side lot line, is permitted for a period of two (2) years.
  - d. New Business Sign: One (1) temporary sign for a new business not exceeding thirty-two (32) square feet, is permitted for a period of thirty (30) days..
2. Real Estate Signs ( No permits are required which meet the restrictions below except as required by Section 1500.5 A 3.)
  - a. In residential districts: "For Sale", "For Rent", or "Open House" signs are permitted up to five (5) square feet (24 inches x 30 inches) in size for residential zoning districts. Such signs are limited to one (1) per zoning lot, except corner lots may display one (1) sign visible from each street frontage, and may be displayed as long as the property is for sale or rent. Property directional signs are not larger than two (2) square feet (12 inches x 24 inches) may be installed at the head of a cul-de-sac or an arterial street leading to the property during sale or lease period, but must be private property (e.g. not within the parkway between sidewalk and curb) and have that land owner's permission.

- b. In commercial and industrial districts: Signs up to thirty-two (32) square feet on property up to five (5) acres in size and up to sixty-four (64) square feet on property of five (5) acres or more on each of two (2) sides in commercial and industrial zoning districts are limited to one (1) per zoning lot, except corner lots may display one (1) sign visible from each street frontage. Signs must be located in minimum of five (5) feet from property line, located outside of the sight triangle and not distract the view of traffic. Signs must be removed within fourteen (14) days of sale or lease. The use of banners or inflatable signs must be in compliance with Section 1500.5.A.3., Banners or Inflatable Signs and Advertising Devices.
- 3. Banners or Inflatable Signs and other forms of advertisement (Permit required)
  - a. Banners or inflatable signs and other forms of advertisement are permitted in Commercial or Industrial Districts for not more than seven (7) calendar days in any one six-month (6) period. Banners shall be attached to the principal structure only.
  - b. Maximum square footage of each sign is two hundred (200) square feet; maximum number of signs/advertising devices at one time is two (2). They must not exceed thirty (30) feet in height. A temporary sign permit is required.
- 4. Inside Signs (No permit required)
  - a. Signs inside a business but intended to be viewed from a public right-of-way. Inside signs whether permanent or temporary are permitted in the C-2, C-3, C-4, I-1, and I-2 Districts subject to the following restriction: no more than thirty-five percent (35%) of the window surface of the business may be obscured by signage or other obstructions.
- 5. Garage, Yard or Rummage Sale Signs (No permit required)
  - a. Garage, yard or rummage sale signs not larger than two (2) feet by two (2) feet, four (4) square feet to be displayed only on private property for no more than four (4) days in any six-month (6) period, are permitted. Such signs shall be removed the day following the sale.
  - b. Garage, yard or rummage sale signs are limited to one (1) per zoning lot in residential districts. Such signs are not permitted on property not used for residential purposes.
- 6. Light Pole Signs (Permit required)
  - a. The zoning officer may approve a temporary sign permit for up to 365 days for a light pole sign in commercial and industrial districts. Said permit is renewable provided the provisions of this ordinance are maintained.
  - b. Sign shall not exceed fifteen (15) square feet in size.
  - c. No more than two signs shall be allowed on any light pole.
  - d. The signs shall be placed so that the bottom edge has a minimum clearance of 10 feet from the ground and the top edge does not exceed 30 feet from the ground. .

- e. That the sign is securely attached to the light pole on the top and bottom of the sign.
- f. That the sign shall not advertise the name of the business on the property but shall only identify services provided, but not including brand name identification except for brand name identification for new passenger vehicle sales.
- g. Light pole signs are not allowed on properties with off premise advertising (billboard).
- h. That the signs are maintained in good condition free of tears, rips, fraying or fading. In the opinion of the Zoning Officer should the sign (s) not be maintained in good condition the Zoning Officer may require the removal of signs. The owner of the property shall have 7 days to remove signs should the Zoning Officer require the removal of signs.
- i. There shall be no more than 30 signs on any zoning lot and there shall be no more than one sign for every 30 parking spaces.

**Non-Commercial Signs (No permit required)**

- 1. Outside Signs
  - a. One (1) temporary sign up to five (5) square feet in size is permitted at any time on a zoning lot in a residential district.
  - b. Ninety (90) days prior to an event or election, two (2) temporary signs per candidate, issue or event are permitted on a zoning lot in a residential, commercial I or industrial district and shall be removed within five (5) days after election or event.
- 2. Inside Signs not larger than four (4) square feet are permitted in residential, commercial and industrial districts, and are limited to two (2) per zoning lot.

**1500.6 Billboard Regulations (Off-Premise Advertising Signs)**

- A. Billboards are permitted in the C-2 and C-3 Commercial District, excluding shopping center properties, and in the I-1 and I-2, Industrial Districts, on a buildable zoning lot. Billboards are not permitted on the same zoning lot with a shopping center.
- B. There are Scenic Areas and Corridors, which shall consist of certain specified areas of land or which shall consist of certain strips of land five hundred (500) feet on either side of the outermost edge of the right-of-way of all of the streets, roads, routes, highways, rivers, etc. specified in this Ordinance, within which Scenic Areas and Corridors all billboards (off-premise advertising signs) are not permitted. Said Scenic Areas and Corridors are identified below and no billboard shall be relocated in the following areas:
  - 1. Business U.S. 20 (West State Street) from the City limits West to the city limits East.
  - 2. IL 251 (N. 2<sup>nd</sup> Street) from the City limits North to Jefferson Street South
  - 3. IL 2 (S. Main Street) from the City limits South to Chestnut Street North
  - 4. Perryville Road from the City limits North to the City limits South



5. Riverside Blvd from the City limits West to the City limits East.
  6. Spring Creek Road from the City limits West to the City limits East.
  7. All of the Municipal territory East of I-90 and North of East State Street .
  8. East State Street from I-90 to the City limits East.
  9. Historic Districts: area designated as a historic district by the City of Rockford under the provisions of Article III of Chapter 13½ of the Rockford Code of Ordinances and/or listed on the National Register of Historic Places.
    - a. Haight Village
    - b. Brown's Hills/Knightsville
    - c. Indian Terrace
    - d. Garfield Avenue
    - e. Northeast State and Main
    - f. East Rockford
    - g. 7<sup>th</sup> Street Commercial District
- C. The total number of billboards shall not exceed the total number of billboards legally existing in Commercial and Industrial Districts on the adoption date of this Ordinance. All replacement billboards shall comply with the regulations of this Ordinance.
1. Billboards are permitted to be replaced on a billboard-by-billboard basis. The total square foot area of a proposed billboard shall not exceed the total square foot area of a removed billboard.
  2. Upon removal of an existing billboard, excluding those billboards located within Residential and Historical Districts, the City shall credit the billboard owner the right to obtain one replacement billboard. Said credited replacement billboard shall not exceed the number of sign faces and the amount of square footage of the removed billboard. The removal of two single sign face billboards may be credited towards obtaining a double face billboard.
- D. Billboard structures, installed after the adoption date of this Ordinance, shall be installed at grade and shall be landscaped as specified in Section 1403.5. Roof installation is prohibited.
- E. Maximum height of sign structure including sign face shall be thirty (30) feet with a minimum ground clearance of ten (10) feet.
- F. Maximum size is three hundred eighty two (382) square feet. Billboards shall be a minimum of seventy-two (72) square feet.
- G. Location
1. Only one double-faced billboard is permitted per zoning lot. A double-faced (back to back) sign, where the faces are parallel shall be considered as one sign for the purposes of this requirement.
  2. Signs must be spaced a minimum of one mile apart, as measured in any direction from where a billboard is proposed or located, and one mile as measured along the same side of street from where a billboard is proposed or located.
  3. Billboards shall be placed so as not to be in a direct line to block the view of signage on adjacent property from adjacent right-of-ways. All applications for

billboard alteration or relocation shall be certified by the applicant as meeting this provision.

4. Required setback for any billboard is five (5) feet, and it shall not project beyond the property line. Billboards shall not be located closer than twenty-five (25) feet from an intersection corner measured from the corner of the property lines.
5. Billboards may not be located closer than five hundred (500) feet to a residential district or any public park measured in any direction from where the billboard is proposed or located.
6. No billboard shall be located within five hundred (500) feet of any area designated as a historic district by the City of Rockford under the provisions of Article III of Chapter 13½ and listed under Section 13½-17 of the Rockford Code of Ordinances and/or listed on the National Register of Historic Places, or an Landmark as designated by the City of Rockford under the provisions of Article II of Chapter 13½ and listed under Section 13½-10.1 of the Rockford Code of Ordinances and/or listed on the National Register of Historic Places in any direction as measured from where the billboard is proposed or located.
7. All permit applications for the construction and erection of a billboard shall be accompanied by a survey prepared by a registered land surveyor identifying the placement of the proposed billboard and location of all structures and signage located on the property.

#### H. Special Uses

City Council may, following a hearing by the Zoning Board of Appeals, permit, as a Special Use:

1. Billboard greater than three hundred eighty two (382) square feet, up to six hundred eighty square feet (680).
2. Billboard located between one hundred fifty (150) and five hundred (500) feet from a Residential District, Historic District or Public Park. If the Council finds that all the Findings of Fact as outlined in Section 1603 are met and that the location, size and design of the proposed billboard will not have a detrimental effect on the privacy, use, light or enjoyment of any zoning lot. A Special Use may not be approved to vary or eliminate any other provision of this Ordinance.
3. The modification of an existing, legally nonconforming or conforming billboard to an electronic graphic display billboard should the council find that the Findings of Fact in Section 1603 have been satisfied, and the location, size and design of the proposed billboard will not have a detrimental effect on the privacy, use, light or enjoyment of any nearby properties.

#### I. Severability of prohibition on billboards.

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of 1500.6 and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibitions on billboards as contained herein

### **1500.7 Nonconforming Business Signs and Billboards**

All signs existing at the time of adoption of this Ordinance which do not conform to the provisions herein shall be considered nonconforming and may continue in use until

- A. The sign suffers more than fifty (50) percent damage or deterioration, as based on inspection, at which time the sign must be brought into compliance with the Ordinance or removed; or

- B. The structure or size of the sign is altered in any way. The alterations must be made toward compliance with this Ordinance.

#### **1500.8 Nonconforming Billboards (Off-Premise Advertising Signs)**

All billboards existing at the time of adoption of this Ordinance which do not conform to the provisions herein shall be considered nonconforming and may continue as hereinafter prescribed

- A. If the billboard suffers more than fifty (50) percent damage or deterioration, as based on inspection, at which time the billboard must be brought into compliance with the Ordinance or removed.
- B. If the structure or size of the billboard is altered in any way, the alterations must be made toward compliance with this Ordinance.
- C. Nonconforming billboards that are not illuminated at the time of adoption of this Ordinance shall not be permitted to be illuminated.

#### **1500.9 Removal of Abandoned Billboards (Off-Premise Advertising Signs) and Billboards (Off-Premise Advertising Signs) in Disrepair**

- A. Whenever the Zoning Officer finds that any billboard on the authorized list is abandoned and whether or not it has deteriorated more than fifty (50) percent, the Zoning Officer shall notify the owner thereof and order said billboard be removed within thirty (30) days. Said order may be appealed pursuant to Section 1602.1 of this Ordinance. All billboards ordered to be removed shall be stricken from the authorized list of billboards and shall not be credited a replacement billboard. The term abandoned shall include sign faces that have not had active advertising for a period of six (6) months or greater, (active advertising does not include the self-advertising of the billboard owner or company). The property for which the billboard was abandoned and removed shall be prohibited from constructing a billboard for a period of 12 months. Any new billboard shall comply with the requirements of this Ordinance.
- B. Whenever the Zoning Officer finds that any billboard on the authorized list is in disrepair and whether or not it has deteriorated more than fifty (50) percent, the Zoning Officer shall notify the owner thereof and order him to repair the billboard within a specified amount of time not less than ten (10) calendar days. If the Zoning Officer finds that the billboard has not been repaired within the specified time in the repair notice, the Zoning Officer shall notify the owner of the billboard and the owner of real property on which said billboard is located to remove the billboard from the property within thirty (30) days. Said order may be appealed pursuant to Section 1602.1 of this Ordinance. All billboards ordered to be removed shall be stricken from the authorized list of billboards and shall not be credited a replacement billboard.

#### **1500.10 Billboard License Required**

- A. All billboards are required to be licensed with the City and the billboard owner shall file a license application annually with the Zoning Officer on a form prescribed by the Zoning Office and said application shall be accompanied by a payment in accordance to the Zoning fee schedule ordinance.

1. Shall renew said license annually in accordance to the regulations above by January 31<sup>st</sup> of each subsequent year.
  2. Upon the approval of a billboard permit, construction of the billboard and final inspection with approval by the City of each relocated billboard, the billboard owner, within fifteen (15) days, shall apply for a billboard license for said billboard.
  3. All billboards licensed by the City of Rockford shall be required to post an identification tag provided by the City with the corresponding license number on the tag.
  4. Failure to obtain a current license will result in the billboard being determined as abandoned.
- B. The City will compile and maintain an authorized list of billboards within the City. The City will inspect each billboard annually and as needed to ensure that the provisions of this Ordinance are enforced.

#### **1500.11 Murals**

Murals are allowed in the C-4 Districts by means of a Special Use Permit provided that positive findings of fact are made by the City Council.

#### **1500.12 Content Neutrality, Message Substitution**

Any sign allowed under this article may contain, in lieu of any other message or copy, any lawful noncommercial message, which does not direct attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity. The sign must also comply with the size, height, area and other requirements of this article.

### **ARTICLE III. - ADDITIONAL SIGN DEFINITIONS**

#### **Section 300**

Sign, business (on-premise advertising sign): Any display, device, figure, plaque or sign maintained or used to advertise or to inform or to direct attention of the public to a business or activity conducted upon the premises upon which such sign is located or to a product or service sold or rendered thereon.

Sign, banner: A sign usually made of cloth, paper, plastic or other non-rigid material with or without and enclosed framework.

Sign, mural: A painting or pictorial representation applied to or incorporated into a structure or wall, that may be viewed from public places, alleys, right-of ways.

Sign, landmark style: A detached sign mounted on or incorporated into a solid base, and shall be a self-supporting structure.

Sign, low-profile: (Also "Monument Sign") A sign mounted directly on the ground with maximum height not to exceed ~~six (6)~~ eight (8) feet.

Sign, development site: a temporary sign used for advertising the construction of a commercial, industrial or residential development.

Sign, real estate: A temporary sign that relates to the sale, rental, lease or marketing of property or buildings on which the sign is located.

Sign, inflatable: Any sign that is either expanded to its full dimension or supported by gases within the sign, or sign parts, included but not limited to a pressure greater than the atmospheric pressure.

Sign, garage or yard sale: A sign either on premise or off premise, which identifies, describes, directs attention to, or gives direction for locating a garage sale or yard sale or rummage sale or similar type of sale.

Sign, inside: Signs inside a building but visible from a public right-of-way.

Sign, temporary: A sign which is not permanently affixed to a wall, permanently installed in the ground by anchoring below the frost line or installation in concrete; signs taped to the inside of window to be visible from the public right-of-way. All devices such as banners, pennants, flags (not intended to include flags of any nation) searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures.

Sign, Electronic graphic display: A sign or portion thereof, which displays electronic images, graphics or pictures. Such sign may be with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within display area. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays.

Sign, billboard (off premise advertising sign): A sign which directs attention of the public, business or activity conducted or product or service sold or offered at a location not on the same premises where such sign is located without using electronic graphic display.

Sign, electronic graphic display billboard (off premise advertising sign): A sign which directs the attention of the public, business or activity conducted or product or service sold or offered at a location not on the same premises where such sign is located using an electronic graphic display sign.

Sign, business (on-premises advertising). Any display, device, figure, plaque or sign maintained or used to advertise or to inform or to direct attention of the public to a business or activity conducted upon the premises upon which such sign is located or to a product or service sold or rendered thereon without using electronic graphic display.

Sign, electronic graphic display business (on- premise advertising) Any display, device, figure, plaque or sign maintained or used to advertise or to inform or to direct attention of the public to a business or activity conducted upon the premises upon which such sign is located or to a product or service sold or rendered thereon using electronic graphic display sign.

Shopping Center: An integrated group of six ( 6) or more commercial establishments, which is planned, developed and managed as a unit with customer and employee parking provided onsite, including outlots.

Sign, wall: Any sign located on a wall of a structure that is not a mural, billboard or freestanding sign. For the purposes of this ordinance marquee and canopy sign is a wall sign.